

# **Exhibit K**



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June 8, 2022

**Via Email Only**

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RE: J.C. v. Zimmerman  
Action No. 22-cv-323-KPF

Dear Counsel:

We write regarding significant deficiencies in Plaintiff's May 30, 2022 Responses and Objections to Defendant's First Set of Interrogatories ("Interrogatory Responses") and May 31, 2022 Responses and Objections Defendant's First Set of Document Requests ("RFP Responses"), each of which was served several weeks after the initial deadline. It is bad enough these responses were late. They are incomplete and fail to comply with the letter and spirit of the Federal Rules. Plaintiff's claims in this case are false and malicious. Our client is entitled to timely, complete, and compliant discovery responses. This is his right under the Federal Rules and basic due process. To be clear, we will not tolerate further delay or game-playing in discovery or any other aspect of this litigation. If your client does not come into full compliance, we will seek judicial intervention and relief.

**Plaintiff's Deficient Interrogatory Responses**

While we will need to meet and confer regarding numerous responses, and this list of deficiencies is by no means comprehensive, several omissions in Plaintiff's Interrogatory Responses require immediate correction.

- **Interrogatory No. 4.** Plaintiff's response fails to state when her alleged physical and psychological injuries manifested.

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- Interrogatory No. 6. Plaintiff's response fails to disclose the addresses, phone numbers, or email addresses for Olivia Whiteman, Jean Miller, or Eve Leber, who are relevant witnesses to this action, as Plaintiff states she discussed her allegations with them. Further, this list is incomplete. The documents produced by Plaintiff's siblings in response to Defendant's April 22, 2022 subpoenas demonstrate that at a minimum, Plaintiff also discussed allegations of sexual misconduct by a well-known individual with her siblings. The fact that Plaintiff's siblings were omitted causes concern about the truth and adequacy of her responses. Plaintiff's response should also include which, if any, healthcare providers and/or therapists with whom Plaintiff has discussed such allegations.
- Interrogatory No. 8. Plaintiff's response fails to state what drugs Plaintiff takes or has taken, which is highly relevant to her allegation that she has suffered physical and emotional injuries that require "medical care and attention" (Am. Compl. ¶¶ 18, 25, 31, 37).
- Interrogatory No. 9. Plaintiff's response fails to state the dates she saw each medical provider disclosed, whether any diagnoses were made, or what, if any, treatment was prescribed by each.
- Interrogatory No. 11. We believe Plaintiff's response omits material information concerning Plaintiff's medical history. Please provide a complete response.
- Interrogatory No. 15. Plaintiff's response states she is still receiving treatment for her alleged injuries but fails to state the nature or frequency of the treatments, or the names of the providers associated with the treatments.
- Interrogatory Nos. 17, 18 and 20. Plaintiff's response fails to describe, even generally, the extent to which she has suffered financial damages allegedly resulting from Defendant's conduct.
- Interrogatory No. 20. Plaintiff's response fails to describe how she has been "incapacitated from attending her regular activities," as referenced in Paragraphs 19 and 31 of the Amended Complaint. Plaintiff must provide an actual response to this interrogatory.

**Plaintiff's Deficient RFP Responses**

Plaintiff's RFP Responses do not contain responses or objections to RFP Nos. 7 through 10 at all. For the remainder, Plaintiff states she "will produce reasonably identifiable responsive, non-privileged documents" in response to each request, while repeating the same form objections for all. This is insufficient. You must confirm you will produce all responsive, non-

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privileged documents in response to each of Defendant's document requests. If you withhold any documents on the basis of any purported privilege, you must produce a privilege log.

Given Plaintiff's extensive delay in providing these discovery responses, we expect you to provide the missing information and discovery responses by Monday June 13.

Before bringing this action, you were required to conduct a reasonable factual investigation into the veracity of the asserted claims in order to determine they have evidentiary support. *See, e.g., In re Australia and New Zealand Banking Grp. Ltd. Sec. Litig.*, 712 F. Supp. 2d 255 (S.D.N.Y. 2010) (imposing Rule 11 sanctions where "any reasonable inquiry into the factual basis of the pleading would have prevented" inclusion of an allegation with no support). This obligation is heightened given the gravity of the accusations and the fact the claims concern alleged events occurring in 1965. This required, among many other things, a careful review of all of your clients relevant emails, writings and other communications, all of which implicate, among other things, her mental capacity, her memory, and the veracity of her claims. This is to say, you have (and have had for approximately one year) ready access today to numerous documents that you were obligated to review before filing this action. You must produce those documents and any others that are responsive to our requests. We expect you will complete your document production no later than June 30, 2022.

Very truly yours,

HURWITZ FINE P.C.



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AS/nm

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